

**PATTERSON &
SHERIDAN, LLP**
— ATTORNEYS AT LAW

**RECEIVED
CENTRAL FAX CENTER
DEC 23 2005**

3040 Post Oak Blvd, Suite 1500
Houston, TX 77056-6582
TEL 713.623.4844
FAX 713.623.4846

FACSIMILE COVER SHEET

DATE: December 23, 2005

FILE NO: ROC920010002US1 (IBMK10002)

TO: MAIL STOP AF
Examiner Jean D. Janvier

FAX NO: 1-571-273-8300

FROM: Gero G. McClellan

PAGE(S) with cover: 3

RE:
TITLE: METHOD AND COMPUTER SYSTEM FOR PROCESSING ELECTRONIC
REBATES

U.S. SERIAL NO.: 09/835,731

FILING DATE: April 16, 2001

INVENTOR(S): Kevin Peter Kepros et al.

EXAMINER: Jean D. Janvier

GROUP ART UNIT: 3622

CONFIRMATION NO.: 5661

Attached for the above-referenced application please find:

NOTICE OF APPEAL and Copy to charge deposit account.

CONFIDENTIALITY NOTE

The document accompanying this facsimile transmission contains information from the law firm of Patterson & Sheridan, L.L.P. which is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

RECEIVED
CENTRAL FAX CENTER

→ USPTO

002/003


DEC 23 2005

PTO/SB/31 (04-05)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) ROC920010002US1	
<p>I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>December 23, 2005</u>.</p> <p>Signature </p> <p>Typed or printed name <u>Joseph Jong</u></p>		In re Application of Kevin Peter Kepros	
		Application Number 09/835,731	Filed April 16, 2001
		For METHOD AND COMPUTER SYSTEM FOR PROCESSING ELECTRONIC REBATES	
		Art Unit 3622	Examiner Jean D. Janvier
<p>Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner.</p> <p>The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) \$ 500</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$</p> <p><input type="checkbox"/> A check in the amount of the fee is enclosed.</p> <p><input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.</p> <p><input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.</p> <p><input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>09-0465 / ROC920010002US1</u>. I have enclosed a duplicate copy of this sheet.</p> <p><input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.</p> <p>I am the <u>/Gero G. McClellan, Reg. No. 44,227/</u></p> <p><input type="checkbox"/> applicant/inventor. <u>Signature</u> <u>Gero G. McClellan</u></p> <p><input type="checkbox"/> assignee of record of the entire interest. <u>Typed or printed name</u> <u>713-623-4844</u></p> <p>See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)</p> <p><input checked="" type="checkbox"/> attorney or agent of record. <u>Telephone number</u> <u>December 23, 2005</u></p> <p>Registration number <u>44,227</u>.</p> <p><input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. <u>Date</u></p> <p>Registration number if acting under 37 CFR 1.34. <u></u></p>			
<p>NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.</p>			

☒ *Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450. If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

423192_1

PAGE 2/3 * RCVD AT 12/23/2005 4:20:44 PM [Eastern Standard Time] * SVR:USPTO-EFXXRF-6/25 * DNIS:2738300 * CSID:7136234846 * DURATION (mm-ss):01-34

12/27/2005 EAREGAY1 00000118 090465 09835731

01 FC:1401

500.00 DA